For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
EOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES D. CHAVEZ,		No. C 11-03919 EJD (PR)
	Petitioner,	ORDER OF DISMISSAL
VS.)))
WARDEN,)
	Respondent.)
))

Petitioner, a state prisoner proceeding <u>pro</u> se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner did not apply for leave to proceed in forma pauperis or pay the filing fee, so on August 10, 2011, this Court's Clerk sent Petitioner a notice that he must either pay the full filing fee or file an <u>in</u> forma pauperis application within thirty days or the case would be dismissed. (Docket No. 2.) Along with the notice, Petitioner was mailed the Court's In Forma Pauperis Application, instructions for completing such an application, including a Certificate of Funds form to be completed and signed by a prison official, and a return envelope. (Id.) The deadline has since passed, and Petitioner has not complied.

Accordingly, this case is DISMISSED without prejudice for failure to pay the filing fee. The Clerk shall terminate any pending motions and close the file.

October 13, 2011 DATED:

WARD J. DAVILA United States District Judge

UNITED STATES DISTRICT COURT

FOR THE

NORTHERN DISTRICT OF CALIFORNIA

JAMES D. CHAVEZ,	Case Number: CV11-03919 EJD	
Petitioner,	CERTIFICATE OF SERVICE	
v.		
WARDEN,		
Respondent.		
I, the undersigned, hereby certify the Court, Northern District of Californ	hat I am an employee in the Office of the Clerk, U.S. District nia.	
attached, by placing said copy(ies)	, I SERVED a true and correct copy(ies) of the in a postage paid envelope addressed to the person(s) id envelope in the U.S. Mail, or by placing said copy(ies) into located in the Clerk's office.	
James D. Chavez T-27420 Pelican Bay State Prison P. O. Box 7500 Crescent City, CA		
Dated: 10/14/2011	Richard W. Wieking, Clerk /s/By: Elizabeth Garcia, Deputy Clerk	